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**Item No:** 7.3

**Application:** 180540

**Applicant:** See Company Name

**Agent:** Miss Jennifer Carroll, Strutt & Parker

**Proposal:** Reserved matters application following outline approval 170997 - erection of 36 residential dwellings, public open space, landscaping, new access and highways, associated and ancillary development

**Location:** Land at, Hill House, Carters Hill, Boxted, Colchester, CO4 5RD

**Ward:** Rural North

**Officer:** Mark Russell

**Recommendation:** Approval

## **1.0 Reason for Referral to the Planning Committee**

- 1.1 This application has been called in to the Planning Committee by Councillor Chapman for the following reasons:

*Following consultation with the Parish Council, and comments made to me, I am aware of local concerns that are not clearly addressed in this application. These include protection for the Village Green area from parking vehicles; the sight lines at the south-east boundary along Straight Road, adjacent to the road crossing; the quality of the building materials to be used eg a desire for hand-made roof tiles for those houses facing the Village Green; and use of native species in hedge planting. The village was the first in Essex to have a Neighbourhood Plan, which supported this development at Hill Farm. A public and transparent decision on Reserved Matters would complete the inclusivity of decision making for the residents.*

## **2.0 Synopsis**

- 2.1 It is explained that Outline Planning permission exists for 36 dwellings (in accordance with the Boxed Neighbourhood Plan).
- 2.2 It is further explained that this application relates to Reserved Matters – Appearance, Landscaping, Layout, and Scale (the Access having been already approved at Outline).
- 2.3 Comments and objections are then detailed. These include the principle as well as some design, layout and highway issues. It is explained that the principle has already been accepted and that, through negotiation, issues of layout and highway safety have been resolved.
- 2.4 The application is subsequently recommended for approval.

## **3.0 Site Description and Context**

- 3.1 The site is characterised by the footprints of former buildings associated with its commercial use and large areas of hardstanding. A mature tree belt is located along the southern boundary of the site, while the western boundary is clearly demarcated by established vegetation. Directly to the north of the site is the Grade II listed Hill House and associated outbuildings, while to the east of the site is St Peter's Primary School. There are arable fields to the west of the site and residential dwellings to the south and south east.

## **4.0 Description of the Proposal**

- 4.1 The application seeks detailed permission for 36 dwellings (granted Outline permission under application 170997).

## **5.0 Land Use Allocation**

- 5.1 The site was formerly allocated for employment uses and was re-allocated for residential use in the Boxted Neighbourhood Plan. The Neighbourhood Plan now places the site within the Boxted Cross settlement boundary in Boxted village. This plan was adopted by Colchester Borough Council on 8 December 2016. It therefore now forms part of the statutory Development Plan for Colchester along with relevant policies in the adopted Local Plan.

## **6.0 Relevant Planning History**

- 6.1 The application site was granted planning permission for the erection of new industrial and office buildings within Use Classes B1, B2 and B8 (reference 131174). Outline planning permission for the development of the site for residential purposes was sought in 2013 (reference 131528) and 2014 (reference 144589). These applications sought permission for 45 and 43 dwellings respectively. Both applications were refused, with the 2013 application also being dismissed at appeal.
- 6.2 Permission was then granted under reference 170997 for “Outline planning application including details of access and layout for 36 residential dwellings, public open space, landscaping, new access and highways, associated and ancillary development on land at Hill Farm, Boxted Cross, Boxted” on 10<sup>th</sup> August 2017.
- 6.3 Planning application 180498 has been submitted to vary the condition relating to trees. This merely seeks to change the reference to an Arboricultural Impact Assessment (AIA) which has been changed to reflect an updated survey to remove trees of poor quality and replace them.

## **7.0 Principal Policies**

- 7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) must be taken into account in planning decisions and is a material consideration, setting out national planning policy. Colchester’s Development Plan is in accordance with these national policies and is made up of several documents as follows below.
- 7.2 The adopted Colchester Borough Core Strategy (adopted 2008, reviewed 2014) contains local strategic policies. Particular to this application, the following policies are most relevant:

SD1 - Sustainable Development Locations  
SD2 - Delivering Facilities and Infrastructure  
SD3 - Community Facilities  
CE1 - Centres and Employment Classification and Hierarchy  
H1 - Housing Delivery  
H2 - Housing Density  
H3 - Housing Diversity

- H4 - Affordable Housing
- UR2 - Built Design and Character
- PR1 - Open Space
- PR2 - People-friendly Streets
- TA1 - Accessibility and Changing Travel Behaviour
- TA2 - Walking and Cycling
- TA3 - Public Transport
- TA4 - Roads and Traffic
- TA5 - Parking
- ENV1 - Environment
- ENV2 - Rural Communities
- ER1 - Energy, Resources, Waste, Water and Recycling

- 7.3 The adopted Colchester Borough Development Policies (adopted 2010, reviewed 2014) sets out policies that apply to new development. Specific to this application are policies:

- DP1 Design and Amenity
- DP4 Community Facilities
- DP5 Appropriate Employment Uses and Protection of Employment Land and Existing Businesses
- DP9 Employment Uses in the Countryside
- DP12 Dwelling Standards
- DP14 Historic Environment Assets
- DP16 Private Amenity Space and Open Space Provision for New Residential Development
- DP17 Accessibility and Access
- DP18 Transport Infrastructure Proposals
- DP19 Parking Standards
- DP20 Flood Risk and Management of Surface Water Drainage
- DP21 Nature Conservation and Protected Lanes

- 7.4 Some “allocated sites” also have specific policies applicable to them. The adopted Site Allocations (adopted 2010) policies set out below should also be taken into account in the decision making process:

n/a

- 7.5 The Neighbourhood Plan for Boxted is also relevant. This forms part of the Development Plan in this area of the Borough.

- 7.6 Regard should also be given to the following adopted Supplementary Planning Documents (SPD):

- The Essex Design Guide
- External Materials in New Developments
- EPOA Vehicle Parking Standards
- Affordable Housing
- Open Space, Sport and Recreation
- Sustainable Construction
- Sustainable Drainage Systems Design Guide

## **8.0 Consultations**

- 8.1 The stakeholders who have been consulted and who have given consultation responses are as set out below. More information may be set out on our website.
- 8.2 The Environment Agency: No objection, but has imposed a condition that no Development shall take place until improvements at Langham Water Recycling Centre (WRC) have been made to ensure there is sufficient wastewater infrastructure in place, in order to accommodate the proposed development.
- 8.3 Natural England: No comments.
- 8.4 Highway Authority (HA): The HA had initially raised concerns about visibility splays.
- 8.5 However, these have now been resolved and the HA has now stated “From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions.” These are generally standard conditions relating to a bellmouth junction, visibility splays, kerbs, refuse disposal and so on; as well as details of bicycle storage, a Construction Method Statement, double height kerbing to prevent nuisance parking and other highway improvements.
- 8.6 Environmental Control: No comments
- 8.7 Contaminated Land Officer: Our specialist has clarified that further information is required in terms of discharging conditions relating to the Outline application. No further comments are required here.
- 8.8 Urban Designer: “The design has improved following pre-application dialogue, with it now appearing more village characterised and less suburban. However, at the relatively detailed/minor level there are still areas to be refined before I could support the scheme, a view supported by guidance in the Essex Design Guide, the site’s prominent location at the heart of the village and neighbouring listed building.” The response then listed several points which required addressing and gave suggestions:
- Use tailored buildings to more strongly respond to and help spatially enclose and shape the green, including.. use tree planting to help spatially delineate the main space from connecting green corridors.
  - Use car ports to increase the sense of enclosure of the public realm....Doors should be provided to potentially screen cars in sensitive locations, i.e. for plots 1-2 given proximity to the listed building and for plots 27-28 overlooking the green.

- Relocate parking for 9, 10, 11, 16 and 17 so that they are more discrete in relation to the public realm.
- Remove unnecessary extra visitor spaces for plots 18 and 19 and landscape the area.

8.9 Amended drawings have now been received which address these points.

8.10 Archaeology: “No material harm will be caused to the significance of below-ground archaeological remains by the proposed development. There will be no requirement for any archaeological investigation.”

8.11 Landscape Planner: Requested clarification and amendment with regard to boundary treatment and proposed maintenance issues.

8.12 Amendments have now been received which address some of these matters. However, the Landscape Planner is still requesting drawings showing where lighting columns will appear in relation to the mature crown spread of proposed trees, details of all surface materials, clarification of demarcation of parking bays and clearer details of boundary treatments.

8.13 These matters can be dealt with by a post permission condition.

8.14 Arboricultural Officer: Asked for an Amended tree plans to show site splays.

8.15 This has now been received and there are no objections.

## **9.0 Parish Council Response**

9.1 Boxted Parish Council gave two sets of comments, first an abridged version as follows:

*Boxted Parish Council would remind CBC of the existence of our Neighbourhood Plan and its requirements re building materials, the provision of visitor car parking spaces, tree protection areas, affordable housing, housing mix, traffic and highways concerns, concerns over the sub standard drainage in the development area, the protection of the village green and development boundary screening.*

*These matters were reviewed at our meeting on 20/3/18 and we hope to meet with the developer in the next month to discuss the above issues.*

- 9.2 A more substantial set of comments (encompassing three pages) was then received, as below.

**Boxted Parish Council are pleased to see that the development and housing density are in line with the previous application. We have the following concerns in relation to the Hill Farm planning application.**

#### **Village Green**

Boxted Parish Council is pleased to see that the developer has retained the 'village green' that was deemed desirable by the Boxted residents for use by all the community of Boxted to use and enjoy collectively and this forms part of the Neighbourhood Plan.

However, we are concerned that people will park their cars on the village green and the surrounding verges, causing damage. This will be a particular issue given the close proximity to the school.

We would suggest boundary fencing or planting such as post and rail with a native species hedge planted outside it around the proposed village green.

The plans do not cover who will be responsible for the on-going maintenance of both the village green and the infiltration basin area. If Boxted Parish Council is expected to maintain these, then substantial on-going contributions will be required to fund this, as laid out in the Neighbourhood Plan. The additional precept from these properties would not cover this cost.

#### **Development Boundary Screening**

As documented in the Neighbourhood plan, to help minimise the potential for the development to have an inappropriate "urban" feel It is important that the development is appropriately screened along it's boundary, particularly along Straight Road where there is existing housing opposite. There is a potential conflict between the desire for native hedgerow/tree screening on the Southern boundary and ensuring adequate visibility of the road at the crossing point on the southern boundary, most particularly for school children.

A native hedgerow along both front road frontages would be preferable and where it would interfere with visibility it could be set back behind the sight line with additional low level planting below 900 mm in front of it.

Who does the developer propose is responsible for keeping any existing or new screening cut back? It is the landowner's responsibility to cut back hedges on their land if they overhang roads/public pavements etc. - but who will be the landowner for this area? Does the developer propose that this will be "common land", hence expecting Boxted Parish Council to maintain these? If the latter, again, substantial on-going contributions will be needed to fund this, as it cannot be met from the parish council precept.

#### **Materials**

The Boxted Neighbourhood Plan requires that any new housing:

- Recognises the rural setting of Boxted

- Recognises that part of Boxted lies within the Dedham Vale Area of Outstanding Natural Beauty
- Ensures that the setting of the Grade II listed building to the North of the site is respected

Boxted Parish Council would like to be able to confirm these are adhered to, but the floor plans and elevations are black and white and hence very hard to form an opinion on what visual impact the properties will make.

Materials the parish council would like to see used are hand made plain clay tiles, clay red brick and painted weather boarding (if weather boarding is deemed necessary at all)

### **Visitor car parking spaces**

Provision of the above would be desirable to avoid parking on the estate roads.

### **Tree Protection Areas**

Boxted Parish Council would like to raise the question whether the tree protection areas for the trees in the neighbouring property to the north are respected. It appears that one of the two units is within this area.

### **Affordable housing**

Boxted Parish Council would like reassurance that the scheme when complete (if permission is granted) ensures that affordable housing provided on the site addresses local needs. The Boxted Affordable Housing Needs Survey (November 2013) identified a need to address the affordable housing needs of local people. i.e. local residents in Boxted will take priority with allocation of the properties.

The Neighbourhood plan specifies that the size and tenure of these units should be reviewed in consultation with Boxted Parish Council, the selected housing association and Colchester Borough Council. Boxted Parish Council is unaware of any approaches from the developer in this regard.

### **Housing Mix**

Boxted Parish Council would like reassurance that the scheme when complete (if permission is granted) will meet the current Colchester Strategic Housing Market Assessment of bedroom requirements (in 2013, 75% of need for market housing was for houses of 3 bedrooms or less).

### **Traffic and highways**

Parking around the adjacent Boxted Primary School is an issue for many in the community and it is important that any development does not result in more on-street parking on the existing highway which would worsen the problems at school drop-off and pick-up times.

Boxted Parish Council are not aware of a Travel Plan prepared in conjunction with the school, as required by the Neighbourhood Plan. If this exists, please can we have a copy? If it does not, please can this be a condition of Planning Permission if granted for this scheme. The travel plan was specifically required



to identify solutions to parking and safety problems associated with school drop-off and pick-up. In particular, this should identify proposals to ensure parents park in the Village Hall car park in Cage Lane, a 'Park and Walk' initiative and could also consider the use of double yellow lines on Carters Hill to prevent parking adjacent to the school on inappropriate verges.

### **Community Shop**

The Neighbourhood plan requires there be facilities for a community shop IF there is demonstrable interest from the Community for such a facility. Boxted Parish Council is not aware of any parties who have a plan for this at the present time, however Boxted Parish Council have not undertaken a consultation (nor have any plans to do so) - and neither are we aware of any consultation by the developers. Boxted Parish Council would like to request that the developer explores this before final permission is given.

### **Drainage**

The Neighbourhood plan requires an appropriate scheme of sustainable urban drainage (SUDS).

Langham Parish Council of an issue advised two Councillors with sewerage caused by inadequate facilities at Langham/Dedham waterworks. Has this been resolved? If not, please can this be a planning condition. It would not be appropriate for this development to cause a sewerage issue "downstream".

### **Section 106 Agreements**

Strutt and Parker's planning statement, which accompanies this application states:

*Provision of a contribution towards open space and recreational facilities at King George Playing Fields in Boxted.*

*[The signed Section 106 Agreement, which forms part of the Outline Planning Permission, requires the owner of the site to pay the Borough Council the Open Space Sport and Recreational Facilities Contribution (£175,000) before the commencement of development. The S.106 Agreement requires this contribution to be used for the improvement and enhancement of King George Playing Fields. The proposal therefore accords with Policy HF1.]*

Boxted Parish Council are concerned that S.106 monies will be ring fenced for to the King George field for sports and recreational facilities only. We wish to have discretion to direct some of the S.106 monies to general community facilities including the on-going refurbishment of the Community Hub building which houses the Sports Clubs, and an after school club as well as acting as café/venue for the community as a whole. Local residents are also able to buy newspapers from this venue.

Boxted Parish Council wish to highlight that outline permission (170997) is accompanied by a Section 106 Agreement, which provides for:

Open space and sport recreational facilities contributions  
Community facilities contributions

Boxted Neighbourhood Plan states:

Community facilities – the need to improve the quality and availability of community infrastructure, particularly leisure and local retail facilities. Improvements to open space, sports and recreation facilities at King George Playing Fields, Improvements to Boxted Sports and Social Club (refurbishment of hall and facilities)

Please can Boxted Parish Council have more information on the proposal in relation to Community Infrastructure Levy/Planning obligation arising from this development?

## **10.0 Representations from Notified Parties**

- 10.1 The application resulted in a number of notifications to interested third parties including neighbouring properties. The full text of all of the representations received is available to view on the Council's website. However, a summary of the material considerations is given below.
- 10.2 One objection was received from a nearby property (Hawthorn Cottage) concerned about the scale of development and the potential number of new vehicles, with attendant Highway dangers.
- 10.3 Essex Police also commented, raising no objections, but adding "We would like to suggest a slight amendment - consider adding extra lighting to the rear of the double length drives. This is to ensure there are no pockets of darkness that residents will need to enter when walking to their vehicles."

## **11.0 Parking Provision**

- 11.1 The proposed development exceeds the minimum requirement for parking spaces for 36 dwellings. 90 spaces are being provided compared to a minimum of 81. There is only one designated "visitor space" as the dwellings each generally have an overprovision.
- 11.2 A further six "on-street visitor parking" spaces are also shown. These are as requested by our Urban Designer and contribute towards a better place-making by reducing the amount of engineered parking spaces and increasing the scope for soft planting.

## **12.0 Open Space Provisions**

12.1 The proposal includes a village green in the south western corner of the application site. This extends to an area of 0.39 hectares which exceeds the 10% policy requirement.

## **13.0 Air Quality**

13.1 The site is outside of any Air Quality Management Area and will not generate significant impacts upon the zones.

## **14.0 Planning Obligations**

14.1 Whilst this is a “Major” application, there was no requirement for this proposal to be considered by the Development Team as this was done at Outline stage. Obligations were agreed at that stage.

14.2 These were as follows:

- Affordable Housing – 20% which equals 3 x 1 bedroom dwellings, 2 x 2 bedroom dwellings, 1 x 3 bedroom dwelling and 1 x 4 bedroom shared ownership dwelling;
- A mechanism for allocating the required number and mix of affordable housing units to local residents in Boxted as a priority; and
- Open Space and Community Facilities - contribution of £175,000 for Open Space and £51,000 for Community Facilities, for a joint project at the community hub to provide a new pavilion and parking.

14.3 The issue of affordable housing and all other s.106 requirements have, therefore, been dealt with at Outline and are not revisited at this stage.

## **15.0 Report**

15.1 The main issues in this case are discussed below:

### The Principle of Development:

15.2 Members will be aware that this site is zoned for housing in the Boxted Neighbourhood Plan and already has Outline permission for thirty-six houses. Therefore, whilst noting the objection on these grounds, this cannot be sustained as a reason for refusal.

### Design and Layout:

15.3 The submitted drawings show a landscape area to the south and east of the site, featuring existing and proposed tree planting and a proposed village green on the south-eastern aspect.

- 15.4 Behind this is the proposed development, with an access onto Carters Hill opposite the St. Peter's Church of England school.
- 15.5 The proposed housing addresses this access-way which sweeps around to the right (south) and a smaller stub road/turning area to the north.
- 15.6 A smaller access, serving two properties at the north-eastern corner is also proposed.
- 15.7 In a generally loose scattering, the housing is in three main groups – to the west, the south-east and the north.
- 15.8 This is a similar layout to the indicative drawings provided at Outline stage and has been agreed with your Officers following negotiation and amendment.
- 15.9 The design of the dwellings draws off a mixture of vernacular references with facing materials ranging from red and buff brick to render and weatherboarding.
- 15.10 Boxted Parish Council has commented on the proposed materials. It has quoted the Boxted Neighbourhood Plan and requested that the materials should include hand-made plain clay tiles, red brick and painted weatherboarding.
- 15.11 The proposal drawings effectively show all of these materials, but do not explicitly state that the tiles shall be clay or that the weatherboarding will be painted (i.e. timber as opposed to hardi-plank etc.). In the case of the tiles, these could be conditioned to be clay around the eastern and southern perimeter of the site where there is a public view. Regarding the boarding, this can similarly be conditioned to be timber when seen from public vantage points (other than where it is within a metre of the boundary, in which case a timber effect material will be necessary due to the risk of fire-spread). A condition to agree the final materials schedule is suggested.

Scale, Height and Massing:

- 15.12 It will be noted that the buildings (other than garages) are entirely two-storey. This fits in with the general pattern of development in the vicinity.

Impact on the Surrounding Area:

- 15.13 Historically the site has comprised a jumble of farm buildings associated with Hill House Farm, then diversifying in to low-scale light industrial use. In more recent years, following the demolition of these buildings, the site has fallen in to dereliction. Whilst the development will tidy up and improve the site, it will obviously lead to a sense of urbanisation albeit softened by the village green and planting.

#### Impacts on Neighbouring Properties:

- 15.14 Given the location of the site, effectively an island separated from other housing by roads, there will be no effect on residential amenity – with the possible exception of the neighbouring Hill House Farm. However, given the arrangement of outbuildings at that property and the distances involved, there are no real concerns of overlooking or being overbearing.

#### Private Amenity Space Provision:

- 15.15 The submitted drawings show that all one and two-bedroom houses have a minimum of 50m<sup>2</sup> amenity space and those with three or more have a minimum of 100m<sup>2</sup>. This is compliant with policy. In fact the gardens are generally much larger than this, several being in excess of 150m<sup>2</sup> and in one case measuring up to 228m<sup>2</sup>. Contextually these are still smaller gardens than some in the vicinity, but this reflects the reality of the site's housing density as per the Neighbourhood Plan.

#### Landscape and Trees:

- 15.16 The Parish Council has repeated its desire for the development to be screened, especially on Boxted Straight Road, to prevent an urban feel. The proposed plans show the south and south-eastern aspect being given over to the village green (with an infiltration basin at the south-western corner), with the south-eastern corner open to contribute views of the village green to the wider area. The green is to be back planted with trees and hedges to offer the softening which the Parish desires. Elsewhere this is bolstered with frontage planting (mixing with the existing).
- 15.17 Our Landscape Planner had voiced a desire for improved screening to the west. This will be achieved by a native hedge and tree mix and hit and miss fencing. A maintenance strip will also be provided so that this planting can be maintained outside of the ownership of the individual dwellings.
- 15.18 Whilst this will not make the new housing completely invisible, it will help it to integrate into the rural landscape.

#### Highway Issues:

- 15.19 The main access was granted permission at Outline stage and nothing has changed here. Regarding the smaller access for two dwellings at the northern end of the site, whilst the Highway Authority had initially raised concerns about vision splays, it is now reassured and has withdrawn its objections.
- 15.20 The Parish, along with ward councillors, has raised concerns about pedestrian visibility at the south-eastern corner where an island crossing links the site to a footway outside of Seven Gables. The corner is, at certain times of year, filled with vegetation and outgrowth, making visibility difficult.

15.21 Your Officer has discussed this with the Highway Authority which has confirmed that as this is an existing scenario it would be difficult to insist on conditions. However, it would appear reasonable to include (within the planting and landscape maintenance regime) a clause stating that all vegetation should remain clear of the highway boundary. This should preferably include the removal of the under-storey of the trees which are growing out from the application site.

Other Matters:

15.22 The Parish is also concerned about cars parking on the verges and the edge of the green and suggests that double yellow lines would assist. However, the HA has not requested these.

15.23 The applicant does not own land on the periphery of the site (it belonging to the HA) and it cannot, therefore, be conditioned that obstructive features be put in place to stop vehicles parking. However, that authority has requested double height kerbs to deter cars parking there.

15.24 Logically the development at hand should not lead to extra nuisance parking as, given the proximity, the majority of pupils connected with the development should, logically, walk to the school.

15.25 The Parish has also asked who will be responsible for the maintenance of trees/growth etc. This element is covered by the landscaping conditions, ownership of the village green is shown to be the Parish Council *or a Management Company*. The other open space to the south and west is the responsibility of the management company.

15.26 Matters raised by the Parish Council in relation to how the s.106 money is spent have already been covered at Outline stage, as has the issue of drainage.

15.27 The comment, by the Parish Council, about the possibility of a community shop is also noted, but should not hold up a decision on this application.

## **16.0 Conclusion**

16.1 To summarise, the substantive matter of 36 dwellings and its access have already been granted permission at Outline. This Reserved Matters application has covered all other aspects and is now held to be satisfactory.

16.2 Approval is, therefore, recommended.

## **17.0 Recommendation to the Committee**

17.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the following conditions:

### **1. ZAF - \*Reserved Matters Applications\***

The reserved matters planning permission hereby granted is given in accordance with the terms of the outline planning permission reference 170997, as varied by planning permission 180498, relating to this site and the conditions attached thereto remain in force.

Reason: In order to comply with Section 91 (1) and (2) of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

### **2) ZAX - \*Development to Accord With Approved Plans (qualified)\***

With the exception of any provisions within the following conditions, the development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers 17-2723-002 rev G, 003 rev B, 004 rev C, 005 rev B, 006 rev B, 007 rev B, 008 rev B, 009 rev C, 010 rev C, 011 rev A, 038; SES 17010 103 rev B, 104 rev B, 105 rev B, 106 rev B, 107; SES 17010-AIA rev A; 17010-101 rev B, 17010-102 rev D.

Reason: For the avoidance of doubt as to the scope of this permission and in the interests of proper planning.

### **3) ZFB - \*Full Landscape Proposals TBA\***

No works shall take place until full details of all landscape works have been submitted to and agreed, in writing, by the Local Planning Authority and the works shall be carried out prior to the occupation of any part of the development unless an alternative implementation programme is subsequently agreed, in writing, by the Local Planning Authority. The submitted landscape details shall include:

PROPOSED FINISHED LEVELS OR CONTOURS;

MEANS OF ENCLOSURE;

CAR PARKING LAYOUTS;

OTHER VEHICLE AND PEDESTRIAN ACCESS AND CIRCULATION AREAS;

HARD SURFACING MATERIALS;

MINOR ARTEFACTS AND STRUCTURES (E.G. FURNITURE, PLAY EQUIPMENT, REFUSE OR OTHER STORAGE UNITS, SIGNS, LIGHTING ETC.);

PROPOSED AND EXISTING FUNCTIONAL SERVICES ABOVE AND BELOW GROUND (E.G. DRAINAGE POWER, COMMUNICATIONS CABLES, PIPELINES ETC. INDICATING LINES, MANHOLES, SUPPORTS ETC.);

RETAINED HISTORIC LANDSCAPE FEATURES;

PROPOSALS FOR RESTORATION;

PLANTING PLANS;

WRITTEN SPECIFICATIONS (INCLUDING CULTIVATION AND OTHER OPERATIONS ASSOCIATED WITH PLANT AND GRASS ESTABLISHMENT);

SCHEDULES OF PLANTS, NOTING SPECIES, PLANT SIZES AND PROPOSED NUMBERS/DENSITIES WHERE APPROPRIATE; AND

IMPLEMENTATION TIMETABLES AND MONITORING PROGRAMS.

Reason: To ensure that there is a suitable landscape proposal to be implemented at the site for the enjoyment of future users and also to satisfactorily integrate the development within its surrounding context in the interest of visual amenity.

#### **4) Non Standard Condition – Internal Layout**

Prior to the occupation of the proposed dwellings, the internal layout shall be provided in accord with the approved drawing.

Reason: To ensure that roads and footways are constructed to an acceptable standard, in the interests of highway safety (Grafik Drawing Numbered 17-2723-002-G REFERS).

#### **5) Non Standard Condition – Radius Kerbs**

Prior to the first occupation of the development, the proposed estate road, at its bellmouth junction with Carters Hill shall be provided with 10.0m. radius kerbs returned to an access road carriageway width of 5.5m. and flanking footway 2m. in width returned around the radius kerbs northerly to the vehicular access to Plots B & C as shown in the approved drawing. The reconstructed road junction shall be constructed at least to binder course prior to the commencement of any other development including the delivery of materials.

Reason: To ensure that all vehicular traffic using the junction may do so in a controlled manner and to provide adequate segregated pedestrian access, in the interests of highway safety.

#### **6) Non Standard condition – Visibility splays**

Prior to the proposed vehicular accesses to Plots B & C and the principle bellmouth connection to Carters Hill being brought into use, the applicant shall provide a drawing showing a minor amendment to GRAFIK DRAWING NUMBER 17-2723-002-G with a minimum vehicular visibility splays of 43m by 2.4m by 43m as measured along, from and along the nearside edge of the carriageway. Such splays shall be provided on both sides of the centre line of each access prior to the occupation of either of these dwellings and shall be retained and maintained free from obstruction clear to ground thereafter.

Reason: To ensure adequate intervisibility between drivers of vehicles using the proposed access and those in the adjoining highway, in the interests of highway safety.

#### **7) Non Standard condition – Estate roads**

Prior to the commencement of development, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads and footways are constructed to an acceptable standard, in the interests of highway safety.

#### **8) Non Standard Condition – Off Street Car Parking**

All off street car parking shall be in precise accord with the details contained within the current Parking Standards being provided within the site which shall be maintained free from obstruction and retained thereafter.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety.



### **9) Non Standard Condition – Recycling/Bin/Collection Points**

Prior to first occupation of the proposed development, communal recycling/bin/refuse collection points shall be provided within 20m of the proposed highway boundary or adjacent to the highway boundary and additionally clear of all visibility splays at accesses and retained thereafter.

Reason: To minimise the length of time a refuse vehicle is required to wait within and cause obstruction of the highway and in the interests of highway safety.

### **10) Non Standard condition – Vehicular Access**

Prior to the first occupation of each dwelling on the proposed development, the individual proposed vehicular access for that dwelling shall be constructed at right angles to the highway boundary and to a width of 3.7m and each shared vehicular access shall be constructed at right angles to the highway boundary and to a width of 5.5m and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.

Reason: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety.

### **11) Non Standard Condition – Unbound materials**

No unbound materials shall be used in the surface treatment of the proposed vehicular access within 6m of the highway boundary / throughout.

Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety.

### **12) Non Standard Condition – Access**

The existing access or any part of an access (dropped kerb) rendered redundant or unnecessary by this development shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the re-instatement to full height of the highway verge/footway/kerbing to the specifications of the Highway Authority, immediately the proposed new accesses are brought into use.

Reason: To ensure the removal of and to preclude the creation of un-necessary points of traffic conflict in the highway and to prevent indiscriminate access and parking on the highway, in the interests of highway safety.

### **13) Non Standard Condition – Footways**

All footways should be provided at no less than 2.0m in width and shall tie into the existing footway network with a properly constructed connection to the existing footways to the specifications of the Highway Authority where connections are made.

Reason: To ensure that roads and footways are constructed to an acceptable standard, in the interests of highway safety.

### **14) Non Standard Condition – Storage of Bicycles**

Prior to the occupation of the proposed development, details of the provision for the storage of bicycles for each dwelling sufficient for all occupants of that dwelling, of a design this shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted within the site which shall be maintained free from obstruction and retained thereafter.

Reason: To promote the use of sustainable means of transport.

#### **15) Non Standard Condition – Construction Method Statement**

No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and under body washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety.

#### **16) Non Standard Condition – Residential Travel Information Pack**

Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport for each dwelling, approved by the Local Planning Authority.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

#### **17) Non Standard Condition – Kerbing**

Prior to the first occupation of the proposed dwellings the applicant shall provide double height kerbing (two rows or similar or equivalent) from the pedestrian crossing point across the sites frontage along Carters Hill and opposite the school to prevent and deter verge parking and to protect the visibility splays at the accesses and accommodation works (top soiling, levelling and reseeding) to the existing verge.

Reason: To preserve the fabric and integrity of the highway and in the interests of highway safety.

#### **18) Non Standard Condition – Pedestrian Footways**

Prior to the first occupation of the proposed dwellings the applicant shall provide local improvements (footway widening and informal crossing facilities) to the existing pedestrian footways between St Peters school and Little Owls pre school and the Community Centre on Cage Lane.

Reason: To make adequate provision for the additional pedestrian traffic generated within the highway as a result of the proposed development.

#### **19) \*ZBC - Materials To Be Agreed**

Notwithstanding the details of the drawings hereby approved, no external facing or roofing materials shall be used in the construction of the development hereby permitted until precise details of the manufacturer, types and colours of these, including a full schedule of where these materials shall be used, have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be approved shall be those used in the development.

Reason: In order to ensure that suitable materials are used on the development as there are insufficient details within the submitted planning application.

## 18.0 Informatives

18.1 The following informatives are also recommended:

### 1) **Non Standard Informative - maintenance Scheme**

The Planting regime relevant to condition 3 above shall be largely in accordance with the submitted drawings and shall also include a reference to a maintenance scheme which will include the regular cutting back of growth from the highway boundary.

### 2) **ZT0 – Advisory Note on Construction & Demolition**

The developer is referred to the attached advisory note *Advisory Notes for the Control of Pollution during Construction & Demolition Works* for the avoidance of pollution during the demolition and construction works. Should the applicant require any further guidance they should contact Environmental Control prior to the commencement of the works.

### 3) **ZTA - Informative on Conditions Stating Prior to Commencement Occupation**

PLEASE NOTE that this permission contains a condition precedent that requires details to be agreed and/or activity to be undertaken either **before you commence the development or before you occupy the development**. This is of critical importance. If you do not comply with the condition precedent you may invalidate this permission and be investigated by our enforcement team. Please pay particular attention to these requirements. To discharge the conditions and lawfully comply with your conditions you should make an application online via [www.colchester.gov.uk/planning](http://www.colchester.gov.uk/planning) or by using the application form entitled 'Application for approval of details reserved by a condition following full permission or listed building consent' (currently form 12 on the planning application forms section of our website). A fee is also payable, with the relevant fees set out on our website.

### 4) **ZTB - Informative on Any Application With a Site Notice**

PLEASE NOTE that a site notice was erected in a publicly visible location at the site. Colchester Borough Council would appreciate your co-operation in taking the site notice down and disposing of it properly, in the interests of the environment.

### 5) **Non Standard Informative - Advanced Payments Code**

All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to the Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway by the ECC.

## **6) Non Standard Informative - Highway Works**

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to:

SMO1 – Essex Highways  
Colchester Highways Depot,  
653 The Crescent,  
Colchester  
CO4 9YQ

## **7) Non Standard Informative – Highway works**

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.